

REMARKS

Claims 1, 3 and 8 are active. Claims 1, 3 and 8 are rejected under 35 USC 112, 1st paragraph (New Matter). The specification is objected to and a new title is required. The claims 1, 3 and 8 are deemed to contain allowable subject matter if applicants show that there is sufficient written description to overcome the objections to the specification by showing that applicants were in possession of the claimed invention at the time of filing the application.

The title is amended as requested. Applicants believe that the amended title meets the requirement of the Action and is acceptable.

The Action objects to the specification on the grounds that the specification does not provide antecedent basis for the claimed subject matter. In particular, the Action objects to the specification as failing to provide support for the claim term "provide a potential at the gate electrode of the charging FET solely via a capacitive coupling." The claims are rejected on the same basis as the specification. The Action states the claimed limitation "provide a potential at the gate electrode of the charging FET solely via a capacitive coupling" is not shown in the drawing or written description (A new matter rejection). The Action states that the claims would be allowable if applicants can show that there is sufficient support for the objected to claim term.

Applicants believe the as filed specification has full support for the above claim structure, notwithstanding that the as filed drawing does not show this particular embodiment as claimed. The specification and drawing are amended herein to provide express antecedent basis as required by the Action (and the MPEP as discussed below) via the new drawing figures 5 and 6 and accompanying reference numerals as

may be required by MPEP608.01(o). Support for the objected to claim term, the corresponding new drawing figures 5 and 6 and amended specification is in the as filed specification and is not new matter. The specification discloses two separate and distinct embodiments as follows:

Embodiment 1. The as filed specification, page 2, lines 29-37.

"In one advantageous embodiment of the organic logic gate, the gate electrode of the charging FET is capacitively coupled to a source electrode of the charging FET. In another advantageous embodiment of the organic logic gate, the drain electrode of the charging FET is capacitively coupled to a gate electrode of the charging FET. It is thus possible . . . for the gate electrode to be coupled to one of the other terminals of the charging FET in order to improve the switching behavior of the logic gate." (underlining added)

This embodiment does not mention, nor is it intended to mention or otherwise include the resistive element coupled across the transistor to the gate electrode and to one of its source/drain electrodes as shown in Figs 2 and 3. That is because the separate and distinct second embodiment with the resistance and capacitance coupled in series is expressly disclosed in the specification as a separate and different embodiment 2 as shown, for example in Figs. 2 and 3, and as follows:

Embodiment 2. The as filed specification, page 4, lines 16 et seq.

"In another preferred embodiment of the invention, the gate electrode of the charging FET, in parallel with the capacitive coupling, is resistively coupled to the source electrode of the charging FET. In another advantageous embodiment of the present invention, the gate electrode of the charging FET, in parallel with the capacitive coupling, is resistively coupled to the drain electrode of the charging FET." (underlining added)

The underlined portions of the specification plainly show two different embodiments, i.e., differently structured devices, are disclosed and intended. Thus, as

would be understood by one of ordinary skill, there are several embodiments disclosed. Different embodiments necessarily involve different structures. Embodiment 1 discloses the gate of a charging FET solely capacitively coupled to one of the FET's drain or source electrodes. No resistive element is disclosed or suggested by this embodiment and provides plain support for the new figures 5 and 6 and amended specification describing these figures. The amendment to the specification is acceptable as it merely describes the added figures 5 and 6 which are supported by the above quoted portions of the specification. The specification is amended to expressly refer to these figures and provide express antecedent basis for the objected to claim terminology per the MPEP.

Embodiment 2 of the as filed specification discloses the gate of a charging FET capacitively and resistively coupled in parallel to one of the FET's drain or source electrodes. This embodiment is shown in Figs. 2 and 3 and manifests a different structure than embodiment 1. While none of the as filed figures show embodiment 1, one of ordinary skill to whom the specification is directed, would understand that embodiment 1, as disclosed, comprises the gate electrode solely capacitively coupled to one of its source and drain electrodes as claimed. Otherwise, if the embodiment 1 clause were to be construed to include the resistive coupling in parallel with the capacitor as in embodiment 2 and figures 2 and 3, then this clause would be redundant with embodiment 2 and superfluous. (Figs. 2 and 3 are the only figures disclosed with the resistive element included and corresponding to the as filed specification, notwithstanding Fig. 1, which has neither a capacitance nor a resistance as in Figs. 2 and 3),

Different embodiments can not be construed to comprise the same elements, which construction would be improper as contradicting the plain meaning of the words used in the specification. A reasonable meaning must be given to all clauses in the specification in light of all of the specification. Embodiment 1, in light of the remainder of the specification, clearly discloses an alternative and different structure than embodiment 2 and corresponds to present claim 1.

It thus would be plain to one of ordinary skill that embodiment 1 manifests solely a capacitive coupling between the FET gate and one of the FET drain/source electrodes as claimed. Embodiment 1 would have no other reasonable interpretation in view of embodiment 2, which manifests the figure 2 and 3 embodiments. In these embodiments, the capacitor is coupled in parallel with a disclosed resistor between the gate electrode and one of the source/drain electrodes. Thus, the specification discloses to one of ordinary skill two different embodiments. One of these embodiments, embodiment 1, is represented by claim 1, and would be so construed by one of ordinary skill and thus this claim does not include new matter.

Figs. 5 and 6, representing the disclosed embodiment 1 as discussed, added to the application per MPEP608.01(o), find support in the as filed specification. The new drawing figures 5 and 6 manifest the claimed subject matter that is disclosed in the as filed specification, notwithstanding that the term "solely" is not used in the as filed specification. MPEP608.01(a) states:

"While an applicant is not limited to the nomenclature of the specification, he or she should make appropriate amendment of the specification whenever this nomenclature is departed from by amendment of the claims so as to have clear support or antecedent basis in the specification for the new terms appearing in the claims."

This clause apparently is included in the MPEP in light of *In re Wright* discussed below. Applicants thus are submitting the attached new figures 5 and 6 and amended specification in view of this section of the MPEP.

The term "solely" in the claims does not have to be expressly present in a specification, if one of ordinary skill could ascertain from that specification the presence of the disputed term "solely," as discussed above. Claim terms do not have to appear verbatim in the as filed specification to be fully supported by that specification. See *In re Wright*, 9 USPQ2d 1649 (Fed. Cir. 1989). The court held that the fact that the exact words here in question (added to the claims and rejected as new matter) are not in the specification is not important. The Federal Circuit was convinced that the process of the claim containing the words in issue was described in the specification. The court held that the specification in this case unequivocally teaches the added term to the claims. For similar reasons, the term "solely" as included in claim 1 to describe the connection of the capacitor to the transistor gate electrode and to one of the transistor source/drain electrodes is expressly disclosed and is not new matter.

For these reasons, the objections based on formal matters are believed met and should be withdrawn.

Since the Action indicates that the claims are otherwise allowable, and since the objections and rejections based on formal matters have been shown to be met, claims 1, 3 and 8 are believed allowable and such action is respectfully requested.

Entry of this amendment is respectfully requested and the application passed on for allowance.

While no fee is believed due for this paper, the Commissioner is authorized to respectively charge or credit deposit account 03 0678 for any under or overpayments in connection with this paper.

Respectfully submitted,

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